# ASUCI JUDICIAL BOARD

*"The Judicial Board has final judicial authority for ASUCI, which extends to all cases arising under the governing documents of ASUCI, all official actions of ASUCI officials and staff, and any matters delegated to the Judicial Board by the Senate or Student Advocate General."*

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## *Ruling in Senate v. Sosa-Hernández*

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Dated March 4, 2025

*VISWANATH, G. delivered the opinion of the Judicial Board. BOLEK, C.; MALANI, A.; FARNWORTH, J.; MARIN, R.; and RINGDAHL, N. approve of what is written.*[1]

On Thursday, February 20th, 2025, the Judicial Board received a formal Petition for Hearing, initiating the process of removal of Senator Sosa-Hernández from their position as a Social Science Senator. Pursuant to Art. 11 of the ASUCI Constitution and legislation R60-79, the Senate may impeach certain ASUCI officers for violations of the governing documents. ASUCI Const. Art. 11 § 1. The Board's decision to remove and/or disbar in this case is final.

[1] KARATAS, Z., having formally recused themself pursuant to Art. VIII of Judicial Board Policies and Procedures, did not take part in the deliberation or decision of this case.

On February 24th, 2025, all parties were formally informed of the initiation of the Formal Hearing process. Consequently, both parties were requested to submit a Formal Hearing Briefing Memo, a filled-out Authorization of Representation form if the parties so chose, and a When2Meet form for scheduling purposes.

While the petitioner submitted the required documents on March 2, 2025, the respondent failed to do so by the stated deadline of Monday, March 3. Consequently, the Judicial Board summarily rules against the respondent, formally removing Senator Sosa-Hernández from office.

Furthermore, the Board has decided that the Senator has not exhibited any signs of misconduct in their current position beyond a failure to appropriately participate in the business of the Senate and communicate with Senate leadership as statutorily required. Additionally, the Board has no evidence to suggest the Senator has exhibited any pattern of misconduct in any other offices which would warrant a disbarment of the Senator from all positions across ASUCI. The Board thus chooses to not disbar Respondent.

*It is so ordered.*

## Appendix A:

*Relevant Sections of the ASUCI Constitution*

As of the writing of this opinion, the cited sections of the ASUCI Constitution read as follows:

**Article 11. Impeachment and Removal**

Section 1. Impeachment

(a) The ASUCI Senate may impeach the following officials by a ⅔ vote:

(1) Individual Senators;
(2) Individual Executive Officers;
(3) Individual appointed officials in the Office of the Student Advocate General; and
(4) Individual Deputy Elections Commissioners.

(b) The ASUCI Senate may impeach the following officials by a ¾ vote:

(1) The Student Advocate General; and
(2) The Elections Commissioner.

(c) The ASUCI Senate may impeach the following officials by a ⅘ vote:

(1) Individual Judicial Board Justices.

(d) The Executive Cabinet may impeach the following by a majority vote:

(1) Appointed Executive Officers.

(e) Impeachment charges may not be brought against an official more than once per Quarter, regardless of whether the Senate or Executive Cabinet brings the charges.

Section 2. Removal Process

(a) Officials who are not Justices

(1) If the Senate or Executive Cabinet impeaches an official who is not a Judicial Board Justice, the Judicial Board shall hold a hearing to determine whether or not the official should be removed from

office, and if so, whether they should be barred from holding office in ASUCI for a period of time.
(2) A ⅔ vote of present voting Justices shall be required to remove an impeached official or bar them from holding office in ASUCI.

(b) Judicial Board Justices

(1) If the Senate impeaches a Judicial Board Justice, the Executive Cabinet shall hold a hearing to determine whether or not the official should be removed from office, and if so, whether they should be barred from holding office in ASUCI for a period of time.
(2) A ⅘ vote of present voting Executive Cabinet members shall be required to remove an impeached Justice or bar them from holding other office in ASUCI.

(c) An official who is removed from office in this manner may appeal the decision by a process described in the ASUCI Bylaws.

## Appendix B:

*Relevant Sections of the ASUCI Judicial Board Policies and Procedures*

As of the writing of this opinion, the cited sections of the ASUCI Judicial Board Policies and Procedures read as follows:

**ARTICLE VIII. RECUSALS**

A. Judicial Board members shall disqualify themselves from particular cases or investigations by process of recusal in situations as soon as they believe their impartiality or transparency in deciding a case may be compromised or reasonably questioned, including but not limited to a conflict of interest or a personal relationship outside of the Associated Students with an individual involved in a case.
B. The recusal process shall consist of a Justice petitioning the Chair to allow for their recusal from the case. If the Chair approves the Petition, the Justice is recused from actively participating in the case at hand and shall be subject to the guidelines described in this document.
    1. If the Chair denies the request, the Justice is not recused from the case in question and must actively participate.
C. If the Chair wishes to recuse themself, the Chair shall petition the Vice Chair. If the Chair is then recused, the Vice Chair shall act as Chair of the Board and approve other Justices' requests for recusal for that specific case.
D. Once recusal has been approved,
    1. Attendance on matters related to the case shall still be expected and required to ensure Justices are informed and responsible to their position.

2. Justices may not speak on matters related to the case at any point of the process in which it is active.
3. For the purposes of transparency, the participation of recused Justices in all matters pertaining to the cases from which they are recused shall be documented on all published Judicial Board materials, such as minutes, injunctions, opinions, etc. Their votes in such matters shall be documented as abstentions.

E. In the event that the good faith of the Justice petitioning for recusal is questioned, any member of the Board may move to question the petitioning Justice's reason for recusal. If the motion receives a second and a majority of the Board votes in favor of the motion, the petitioning Justice shall be compelled to inform the Board as to the reason they believe their impartial and transparent decision may be compromised or questioned.
    1. Moving to question shall not be construed to remove all confidentiality responsibilities of all Justices and appointed staff under these Policies.
F. No policy outlined in this document shall be construed to prevent a Justice from abstaining from a vote.

## Appendix C:

*Relevant Legislation*

R60-79: Impeachment of Social Sciences Senator 2024-2025